



DOCKET NO.: D0617.70002US10/LADNER=7M
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ladner et al.
Serial No.: 09/893,878
Confirmation No.: 1764
Filed: June 29, 2001
For: DIRECTED EVOLUTION OF NOVEL BINDING PROTEINS
Examiner: Bennett M. Celsa
Art Unit: 1639

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 15th day of April, 2005.


Melissa L. Barlow Lyons

Mail Stop Amendment


Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. §1.821(g)

Sir:

This statement is made pursuant to 37 CFR 1.821(g). Applicants enclose herewith a substitute Sequence Listing in paper and computer readable form. Applicants' representative states that the information recorded in the computer readable form is identical to the paper form and neither go beyond the disclosure of the application as filed. This submission contains no new matter.

Respectfully submitted,
Ladner et al., Applicants


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Docket No.: D0617.70002US10/LADNER=7M
April 15 2005
x04.17.05x



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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20050216

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Notice To Comply With Sequence Rules : BONAFIDE ATTEMPT LETTER

The 12/1/04 response providing a Substitute Specification (entered) and sequence listing is acknowledged.. However, this application still fails to fully comply with the SEQUENCE RULES due to the following deficiencies:

- a. Fig. 3 sequence (e.g. ACAAACA) : needs a sequence ID;
- b. Fig. 15 sequence (e.g. GENEGCD CY) needs a sequence ID; and

Note: drawings need not be revised; but a. and b. can be remedied by inserting the seq. Id in the Brief description of the drawing..

Since the above-mentioned reply appears to be a bona fide attempt to comply with the requirements of the sequence rules (37CFR 1.821-1.825), Applicant is given ONE MONTH from the mailing date of this communication within which to comply with the sequence rules under 37 CFR 1.821-25. Failure to comply with the sequence rules will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). Direct reply to the undersigned. Applicant is requested to return a copy of the attached NOTICE TO COMPLY with the reply.

ATTACHMENT: NOTICE TO COMPLY ... SEQUENCE DISCLOSURES

Future Correspondences

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bennett Celsa whose telephone number is 571-272-0807. The examiner can normally be reached on 8-5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Wang can be reached on 571-272-0811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bennett Celsa
Primary Examiner Art Unit 1639

BC
February 8, 2005

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ Other: **missing seq. id's**
Applicant Must Provide:
- ☒ A **substitute** computer readable form (CRF) copy of the "Sequence Listing".
- ☒ A **substitute** paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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